

the dry powder form comprising microparticles formed of the drug and a polymer or diketopiperazine.

7. (amended) A drug delivery device for nasal administration comprising a drug in a dry powder form having an average particle size of between 10 and 20 microns, in a dosage formulation for administration to the nasal region, and a device for delivering a measured dose of the drug to the nasal mucosa, wherein the dry powder form comprises microparticles formed of the drug and a polymer or diketopiperazine.

14. (amended) A method of administering a drug to the nasal region of a patient in need thereof, comprising nasally administering a dry powder form of a drug having an average particle size of between 10 and 20 microns, in a dosage formulation suitable for nasal administration, wherein the dry powder form comprises microparticles formed of the drug and a polymer or diketopiperazine.

Remarks

Amendment to the claims

Claims 1-19 have been amended as discussed below. Support for the amendment to the claims is found at p. 3, lines 5-8. The claims now define a dry powder consisting of microparticles formed of the drug and a polymer or diketopiperazine.

Rejections under 35 U.S.C. 102

Claims 1-4, 6-11, 13-17 and 19 were rejected under 35 U.S.C. 102 (b) as disclosed by U.S. Patent No. 5,164,194 to Hettche ("Hettche"). The applicants respectfully traverse this rejection.